

**SB1847**



**95TH GENERAL ASSEMBLY**

**State of Illinois**

**2007 and 2008**

**SB1847**

Introduced 6/29/2007, by Sen. John J. Cullerton

**SYNOPSIS AS INTRODUCED:**

225 ILCS 60/19

from Ch. 111, par. 4400-19

Amends the Medical Practice Act of 1987. In a Section concerning licensure without examination, provides that a continuous faculty appointment at a single Illinois institution for a period of at least 2 years without incident shall be deemed substantially equivalent to any clinical examination requirement for an applicant who seeks to practice medicine in all of its branches or treat human ailments without the use of drugs and without operative surgery and who holds an active Visiting Professor Permit.

LRB095 12600 RAS 37862 b

FISCAL NOTE ACT  
MAY APPLY

**A BILL FOR**

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Medical Practice Act of 1987 is amended by  
5 changing Section 19 as follows:

6 (225 ILCS 60/19) (from Ch. 111, par. 4400-19)

7 (Section scheduled to be repealed on December 31, 2008)

8 Sec. 19. Licensure without examination. The Department  
9 may, in its discretion, issue a license without examination to  
10 any person who is currently licensed to practice medicine in  
11 all of its branches, or to practice the treatment of human  
12 ailments without the use of drugs or operative surgery, in any  
13 other state, territory, country or province, upon the following  
14 conditions:

15 (A) (Blank);

16 (B) That the applicant is of good moral character. In  
17 determining moral character under this Section, the  
18 Department may take into consideration whether the  
19 applicant has engaged in conduct or activities which would  
20 constitute grounds for discipline under this Act. The  
21 Department may also request the applicant to submit, and  
22 may consider as evidence of moral character, endorsements  
23 from 2 or 3 individuals licensed under this Act;

1           (C) That the applicant is physically, mentally and  
2 professionally capable of practicing medicine with  
3 reasonable judgment, skill and safety. In determining  
4 physical, mental and professional capacity under this  
5 Section the Medical Licensing Board may, upon a showing of  
6 a possible incapacity, compel an applicant to submit to a  
7 mental or physical examination, or both, and may condition  
8 or restrict any license, subject to the same terms and  
9 conditions as are provided for the Medical Disciplinary  
10 Board under Section 22 of this Act. The Medical Licensing  
11 Board or the Department may order the examining physician  
12 to present testimony concerning this mental or physical  
13 examination of the applicant. No information shall be  
14 excluded by reason of any common law or statutory privilege  
15 relating to communications between the applicant and the  
16 examining physician. Any condition of restricted license  
17 shall provide that the Chief Medical Coordinator or Deputy  
18 Medical Coordinator shall have the authority to review the  
19 subject physician's compliance with such conditions or  
20 restrictions, including, where appropriate, the  
21 physician's record of treatment and counseling regarding  
22 the impairment, to the extent permitted by applicable  
23 federal statutes and regulations safeguarding the  
24 confidentiality of medical records of patients.

25           (D) That if the applicant seeks to practice medicine in  
26 all of its branches:

1           (1) if the applicant was licensed in another  
2 jurisdiction prior to January 1, 1988, that the  
3 applicant has satisfied the educational requirements  
4 of paragraph (1) of subsection (A) or paragraph (2) of  
5 subsection (A) of Section 11 of this Act; or

6           (2) if the applicant was licensed in another  
7 jurisdiction after December 31, 1987, that the  
8 applicant has satisfied the educational requirements  
9 of paragraph (A) (2) of Section 11 of this Act; and

10          (3) the requirements for a license to practice  
11 medicine in all of its branches in the particular  
12 state, territory, country or province in which the  
13 applicant is licensed are deemed by the Department to  
14 have been substantially equivalent to the requirements  
15 for a license to practice medicine in all of its  
16 branches in force in this State at the date of the  
17 applicant's license;

18          (E) That if the applicant seeks to treat human ailments  
19 without the use of drugs and without operative surgery:

20           (1) the applicant is a graduate of a chiropractic  
21 school or college approved by the Department at the  
22 time of their graduation;

23           (2) the requirements for the applicant's license  
24 to practice the treatment of human ailments without the  
25 use of drugs are deemed by the Department to have been  
26 substantially equivalent to the requirements for a

1 license to practice in this State at the date of the  
2 applicant's license;

3 (F) That the Department may, in its discretion, issue a  
4 license, without examination, to any graduate of a medical  
5 or osteopathic college, reputable and in good standing in  
6 the judgment of the Department, who has passed an  
7 examination for admission to the United States Public  
8 Health Service, or who has passed any other examination  
9 deemed by the Department to have been at least equal in all  
10 substantial respects to the examination required for  
11 admission to any such medical corps;

12 (G) That applications for licenses without examination  
13 shall be filed with the Department, under oath, on forms  
14 prepared and furnished by the Department, and shall set  
15 forth, and applicants therefor shall supply such  
16 information respecting the life, education, professional  
17 practice, and moral character of applicants as the  
18 Department may require to be filed for its use;

19 (H) That the applicant undergo the criminal background  
20 check established under Section 9.7 of this Act.

21 A continuous faculty appointment at a single Illinois  
22 institution for a period of at least 2 years without incident  
23 shall be deemed substantially equivalent to any clinical  
24 examination requirement for an applicant who seeks to practice  
25 medicine in all of its branches or treat human ailments without  
26 the use of drugs and without operative surgery and who holds an

1 active Visiting Professor Permit.

2 In the exercise of its discretion under this Section, the  
3 Department is empowered to consider and evaluate each applicant  
4 on an individual basis. It may take into account, among other  
5 things, the extent to which there is or is not available to the  
6 Department, authentic and definitive information concerning  
7 the quality of medical education and clinical training which  
8 the applicant has had. Under no circumstances, including those  
9 involving applicants who hold an active Visiting Professor  
10 Permit and meet the requirements for substantial equivalency  
11 for clinical examination requirements, shall a license be  
12 issued under the provisions of this Section to any person who  
13 has previously taken and failed the written examination  
14 conducted by the Department for such license. In determining  
15 moral character, the Department may take into consideration  
16 whether the applicant has engaged in conduct or activities  
17 which would constitute grounds for discipline under this Act.  
18 The Department may also request the applicant to submit, and  
19 may consider as evidence of moral character, evidence from 2 or  
20 3 individuals licensed under this Act. Applicants have 3 years  
21 from the date of application to complete the application  
22 process. If the process has not been completed within 3 years,  
23 the application shall be denied, the fees shall be forfeited,  
24 and the applicant must reapply and meet the requirements in  
25 effect at the time of reapplication.

26 (Source: P.A. 89-702, eff. 7-1-97; 90-722, eff. 1-1-99.)